



District of Wells

PUBLIC STATEMENT

Re: Clarification on the recently announced proposed community housing development and staffs request for public input regarding the proposed amendments to zoning and OCP Bylaws.

December 21, 2020

It has been brought to staff's attention that there may be some misunderstandings on the proposed community housing development as well as the recent invite to the community for input relating to potential zoning amendments to afford for such a project.

Staff would like the Community and all stakeholders to know you are being heard and we are listening to your concerns.

In efforts of clarifying what the timeline, legal requirements, steps in this proposed housing development and any other possible misunderstandings that may be circulating, staff have prepared this statement of information.

As always, staff continue to encourage the public to speak with staff when they have any concerns or questions, they need answers to. Staff are here to assist in any way that we can.

Timeline of Events

- Each year District staff and Council request Ministerial meetings at the annual UBCM Convention for local governments, each year Staff request a meeting to discuss the District's need for infrastructure updates inclusive of Hydro, Housing shortages and community needs as well as various other challenges and needs the municipality has.
- At the UBCM Convention in late September 2020, the District was afforded six ministerial meetings, which is amazing, as we are generally lucky to only get a couple meetings. One of these meetings afforded was with BC Housing and the Ministry of Affairs and Housing.
- During this meeting, the District received a very positive response from the province and from BC Housing, we were being heard, and the District was offered follow-up meetings which was a first and very encouraging. Council directed the Chief Administrative

Officer (CAO) to be available for any follow-up meetings in hopes of further commitment.

- On November 23rd, 2020, the CAO met with a representative from BC Housing in follow up to previous conversations. BC Housing explained the process, the funding stream and the step that needed to be actioned. The District can not directly apply for funding. It must partner with a non-profit and the non-profit becomes the applicant. The timeline for funding is short, as the current live stream closes January 15, 2021. That meant if we wanted Community housing to be a reality in the near future (2-3 years) staff needed to commit to get the application in by the January 15th, 2021 deadline. Staff asked if BC Housing knew when the next funding stream would potentially open given that was such a tight timeline, BC Housing felt it was probable that another funding stream would open but they were unsure of future dates or streams that would be available.
- BC Housing also stated that they recommended the District partner ASAP with a nonprofit such as Barkerville and get the application in as soon as possible.
- Barkerville was an ideal partner as they had already commenced all the work in efforts of their own community housing application previously, that funding was tabled due to the inability to have crown lots released, however, if the District had property they could gift or lease to Barkerville and could prove the ground was ready as well as any rezoning or subdividing needed underway in support of this project then there was a strong potential for approval.
- On December 2, 2020 staff met with Barkerville staff. Barkerville felt that this was exciting news and were happy to partner with the District to try and bring in the much needed housing. A plan was set in motion to attempt to make the January 15, 2021 application deadline. A first step was to commence the land identification, next would be to research what those lands would need such as rezoning and bring forward to Council an update on the meetings with both BC Housing as well as Barkerville and to request staff direction for public consultation on the lands identified and the rezoning amendments that would be required.
- At the Regular Council meeting of Tuesday December 8, 2020, Council resolved the following:

20-207 MOVED Jordan Rohatynski, seconded Mandy Kilsby THAT Council receives the staff report and supports the proposed Zoning and Tree Protection Bylaw No. 26, 2000 Amendments and the proposed Official Community Plan amendments to support a Low-Income Family, workforce, and Seniors housing development project in the "Institutional" Zoning (Parcel B and Parcel C Block A Jones Avenue PID: PID: 024-633-313 and PID: 024-633-321).

Carried Unanimously

20-208 MOVED Jordan Rohatynski, seconded Mandy Kilsby THAT Council directs Staff to bring back to Council the proposed amendments for potential first and second readings, directs staff to conduct referrals in support of the proposed housing development project, and directs staff to advertise for a Public Hearing regarding the proposed

housing development project and amendments to the Wells Zoning and Tree Protection Bylaw No. 26, 2000 and Official Community Plan.

Carried Unanimously

- On December 9, 2020, the CAO prepared the referral letters and the Public Notice of Consultation for zoning and the Official Community Plan (OCP) Bylaw amendments needed should the proposed community housing be approved to be built on lots B and C of Jones Avenue (Formerly lots 1 thru 13).
- On December 10, 2020 staff sent out referral letters to:
 - School District 28
 - Cariboo Regional District
 - Lhtako Dene Nations
 - Xatsull First Nations
- On December 10, 2020, staff also distributed Public Notices for public input on the proposed zoning amendments. These notices were distributed as per the BC Local Government Act, BC Community Charter and District Bylaws which state that Notices MUST be posted in the designated District posting places as well as on the District's website. (Posting places being the lower Community Hall entrance door closest to the Library, BNC Mercantile, the District Office and the Post Office)
Staff have found it is also always best to also community email out any and all notices as well as post on facebook pages if possible. The Community Charter states that we must not advertise more than 10 days and not less than 3 days for Public consultation. Staff stretched this timeline due to the Holiday season and COVID to allow extra days, requesting input by December 22, 2020.
- December 2020 - continue working in partnership with Barkerville, an architect, and consultant firm to develop a model and business plan for the proposed housing for the application to BC Housing as well as the next Public consultation/hearing process. Determine if enough of a plan can be developed to afford a Public Hearing prior to January 12th, 2021 or if the grant application goes into BC Housing knowing that the model of housing and number of units may need to be changed during the process due to the short timeline afforded for current intake to the funding stream. Keeping in mind, that the housing should be heritage in nature as to fit in with our historical town with a modern feel and economical.
- Determine by January 7th, 2021 if on January 12, 2021 staff can add to the Regular Council agenda any public input received regarding the Zoning amendments for proposed housing to be located on the District owned lots known as lots B and C of Jones Avenue and recommend first reading to the zoning amendments and advertise for Public Hearing determining of it must be via zoom as per BC Laws and Ministerial Orders as per COVID 19 or if it can be offered in person as well as online.

LEGAL REQUIREMENTS:

Local Government Act: Division 4 — Public Hearings on Bylaws

Public hearings

890 (1) Subject to subsection (4), a local government must not adopt an official community plan bylaw or a zoning bylaw without holding a public hearing on the bylaw for the purpose of allowing the public to make representations to the local government respecting matters contained in the proposed bylaw.

(2) The public hearing must be held after first reading of the bylaw and before third reading.

(3) At the public hearing all persons who believe that their interest in property is affected by the proposed bylaw must be afforded a reasonable opportunity to be heard or to present written submissions respecting matters contained in the bylaw that is the subject of the hearing.

(3.1) Subject to subsection (3), the chair of the public hearing may establish procedural rules for the conduct of the hearing.

(4) A local government may waive the holding of a public hearing on a proposed bylaw if

(a) an official community plan is in effect for the area that is subject to a proposed zoning bylaw, and

(b) the proposed bylaw is consistent with the plan.

(5) More than one bylaw may be included in one notice of public hearing, and more than one bylaw may be considered at a public hearing.

(6) A written report of each public hearing, containing a summary of the nature of the representations respecting the bylaw that were made at the hearing, must be prepared and maintained as a public record.

(7) A report under subsection (6) must be certified as being fair and accurate by the person preparing the report and, if applicable, by the person to whom the hearing was delegated under section 891.

(8) A public hearing may be adjourned and no further notice of the hearing is necessary if the time and place for the resumption of the hearing is stated to those present at the time the hearing is adjourned.

(9) Despite section 135 (3) [at least one day between third reading and adoption] of the Community Charter, a council may adopt an official community plan or zoning bylaw at the same meeting at which the plan or bylaw passed third reading.

Delegating the holding of public hearings

891 (1) If a local government makes a delegation in relation to one or more public hearings,

(a) that delegation does not apply to a hearing unless the notice of hearing under section 892 includes notice that the hearing is to be held by a delegate, and

(b) the resolution or bylaw making the delegation must be available for public inspection along with copies of the bylaw referred to in section 892 (2) (e).

(2) If the holding of a public hearing is delegated, the local government must not adopt the bylaw that is the subject of the hearing until the delegate reports to the local government, either orally or in writing, the views expressed at the hearing.

Notice of public hearing

892 (1) If a public hearing is to be held under section 890 (1), the local government must give notice of the hearing

(a) in accordance with this section, and

(b) in the case of a public hearing on an official community plan that includes a schedule under section 970.1 (3) (b), in accordance with section 974.

(2) The notice must state the following:

(a) the time and date of the hearing;

(b) the place of the hearing;

(c) in general terms, the purpose of the bylaw;

(d) the land or lands that are the subject of the bylaw;

(e) the place where and the times and dates when copies of the bylaw may be inspected.

(3) The notice must be published in at least 2 consecutive issues of a newspaper, the last publication to appear not less than 3 and not more than 10 days before the public hearing.

(4) If the bylaw in relation to which the notice is given alters the permitted use or density of any area, the notice must

(a) subject to subsection (5), include a sketch that shows the area that is the subject of the bylaw alteration, including the name of adjoining roads if applicable, and

(b) be mailed or otherwise delivered at least 10 days before the public hearing

(i) to the owners as shown on the assessment roll as at the date of the first reading of the bylaw, and

(ii) to any tenants in occupation, as at the date of the mailing or delivery of the notice,

of all parcels, any part of which is the subject of the bylaw alteration or is within a distance specified by bylaw from that part of the area that is subject to the bylaw alteration.

(5) If the location of the land can be clearly identified in the notice in a manner other than a sketch, it may be identified in that manner.

(6) The obligation to deliver a notice under subsection (4) must be considered satisfied if a reasonable effort was made to mail or otherwise deliver the notice.

(7) Subsection (4) does not apply if 10 or more parcels owned by 10 or more persons are the subject of the bylaw alteration.

(8) In respect of public hearings being held under section 890 (1) or waived under section 890 (4), a local government may, by bylaw,

(a) require the posting of a notice on land that is the subject of a bylaw, and

(b) specify the size, form and content of the notice and the manner in which and the locations where it must be posted.

(9) Specifications under subsection (8) (b) may be different for different areas, zones, uses within a zone and parcel sizes.

(Please note that Council resolved to waive advertising in local newspapers as it is very costly at nearly \$1250 per ad which is required twice within a week (for a combined cost of upwards of \$2500) and the closest newspaper is the Quesnel Observer, which not all locals receive, so in efforts of cutting expenses Council approved the posting of notices in the District's usual posting places and advertising on the website instead of any newspaper advertising)***

Steps in this proposed Housing Development:

- Meet with BC Housing
- Identify and reach out to potential partners (non-profits, such as Barkerville, Island Mountain Arts, etc)
- Once a partner is identified and land availability is identified, get Council support for partnership, and commence public consultation for proposed housing development
- Identify a housing consultant and Architect available to get some sort of a working document for application purposes in efforts of meeting the January 15, 2021 BC Housing deadline.
- Identify any zoning and subdivision change requirements of proposed development lands, make amendments to the OCP and Zoning bylaws as required to support a Community Housing Project
- Deadline for submission of application January 15, 2021 (determine after initial consultation with public if this deadline can be reached with some sort of live document that can be molded as we progress forward, can a consultant be obtained, and a working model of housing be determined to meet these guidelines)
- Meet with the Wells Community Facility Building Committee, acknowledge and communicate as to get the committees feedback knowing that their business plan was approved by Council as a "Live working document" which is a work in progress being changed as the committee also moves forward with continued public input and as to work together on the green space.
- Meet with the Wells Community Vision and Planning Committee to get their input on the proposed location and model of housing.
- Further public consultation and hearings as the application to BC Housing progresses
- Continue working on the model of housing to fit the 50/30/20 designations required (low-income families, workforce, and seniors housing) WITH continued public input
- If approved for funding by BC Housing, commence and finalize planning, zoning amendments, model of housing, apply for building permits and commence RFP process in hiring contractors to commence the build (2021-2023 timeline)
- Determine strict screening guidelines for housing units as to ensure any tenants fit the criteria with continued safety in mind of the neighborhood area

Questions and Concerns to Staff:

- This feels like rushed emergency politics, why was the public not given more information, are District staff following legislation?

Answer: Yes, staff are following all BC Laws, and in efforts of being transparent have announced the potential proposed housing development project and given more than the required 10 days' notice for the request for input on the zoning changes needed to support a housing development project on the identified parcels of lands.

Staff see the importance of this housing project and have identified the need for several community consultations and/or hearings. This proposed housing is at its beginning stages currently. Staff have a working partnership with Barkerville, as the non-profit, who also sees the exciting opportunities. While the deadline for the BC Housing application is very short notice, staff of the District as well as staff of Barkerville agree that with the unknowns of when this funding stream may be available again it is worth a hard effort in at least getting an application in to BC Housing while realizing that a lot of future Public consultation and input is needed and welcomed. The application is not set-in stone and can be a working document with changes as the housing proposal progresses. BC Housing has identified that proof of available, build ready lands and the ability to re-zone said lands will make the application stronger hence this first call out for public input on re-zoning on the identified lands available. In short, we have the attention of the province and our foot in the door to develop housing so were trying to seize the opportunity while it exists.

- How were the Lots B and C of Jones Avenue chosen, are their alternative lands? How does this affect the already supported Wells Community Facility Building Business plan which was inclusive of the green space located on the lots identified and will this affect the current Community Gardens?

Answer: For years staff have identified these parcels/lots of lands as potential for housing development to fit the Community needs. The lands currently are under utilized as they are within the water table which makes for very boggy, bug infested areas. Over the years the Community has utilized the green space known as the Elementary School Fields, but only to a smaller extent due to the wetness of the lands located closest to Jones Avenue areas.

The development of housing on these lands still allows for a large green space area for the Wells Community Facility Building and Community, working together with the building committee as well as the newly formed vision and planning committee could see an incredibly positive and community minded housing development. It does not affect the already existing Community garden, while allowing for enough lands in a location close to park amenities, public library, healthcare, seniors activities for young families and seniors.

These lots identified are the only already owned lots that are large enough, dig ready with easy access to utility hookups.

Crown Lots are not easily accessible and take upwards of at least two years in application processes to the province for their release, if this development project were successful it would help in getting more future housing development projects and affords more time while we continue to try and get these crown lands released.

The municipality does have other lots they own but these lots do not afford for a housing project which fit the criteria of this current funding stream, they are not large enough. The only other lots the District owns at this time are located on Mildred Avenue (two lots) and the four small lots where the Community Garden currently are situated.

- Our current infrastructure (water, sewer and hydro) is already maxed and in need of replacement, how can staff justify a housing project with the unknowns of the already existing infrastructure which can not meet current demands let alone added demands?

Answer: As per recent announcements, Barkerville Gold Mines has expressed their interest in assisting the District with upgrades needed to Water and Sewer. They have gifted the District \$100,000 towards hiring a consultant firm to help re-write the existing Official Community plans in efforts of identifying and prioritizing new infrastructure needs and existing infrastructure upgrades needed. Should any application be successful with BC Housing, the construction phase would need to be worked in with any infrastructure upgrades identified. This is not a project that would go up overnight, there is much more planning, more community consultation as each phase commences of this proposed housing development. The hope is that the construction would align with the water and sewer upgrades in the next year or two. Final construction would be subject to utilities.

As for BC Hydro, staff have reached out to BC Housing and have been told that there is a current availability for roughly 50 houses. While staff continue to work with BC Hydro and the province for 3 phase power our existing Hydro is enough to cover this smaller housing development.

- The rumor is that this proposed housing development is for Barkerville employee housing only? We have heard that the District has several abandoned properties that could be used for this housing proposal, why are the current identified lots being considered?

Answer: As per the BC Housing Funding guidelines, this proposed housing development is 50/30/20 split. Being that the housing must be 50% low-income families, 30% workforce housing, and 20% senior housing. BC Housing subsidizes low-income families and seniors so rent is based on the families and seniors' total annual incomes. The 30% workforce housing means that 30% of the housing is not subsidized by the province and is set based on the business plan developed.

While it is unclear as to what "abandoned" properties some may be referring to, staff can try and answer by stating that there are many crown lots in town that are overgrown, the District has always and will continue to try and secure crown lots so that in the very least they can be developed on or maintained better. There are also several falling-down houses to which the

District has served notice to the owners in efforts to have those homes demolished and/or yards cleaned up, but the lots are not abandoned nor has the District taken them over at this time.

In Summary

At the December 8th, 2020 Council meeting staff updated Council on follow up conversations with BC Housing. Proposed lands are Lots B and C located on Jones Avenue and are located on what has been traditionally known as the “school field”. Creating housing would not take away all the green space, but it would develop the unused portion of this field which is very wet and not utilized often. Staff recommended to Council that they direct staff to conduct public consultation and referrals regarding the proposed zoning amendments only at this time for the identified lands. This process is being done above and beyond the normal process as per BC Laws, prior to ANY First reading of any bylaw amendments. Staff recommended different options to Council. One of those options includes simply adding the comprehensive language to the existing Institutional zoning (which includes parks and recreation) to potentially allow for the additional use of any new multi-family housing project. For years, the Community has asked repeatedly for more housing, the District currently has the attention of the province and was simply trying to keep that attention by moving forward with a funding application with Barkerville as the non-profit partner.

This is only the beginning of a lengthy public consultation and planning process in efforts of at least getting the application for funding in.

There is no ulterior motive, no “rushed politics” it is simply a current opportunity the District was afforded by the province in which staff felt it worth the efforts of at the very least trying to the best of their ability to make something work for the Community. Staff have been as transparent as possible and have done their due diligence. It is not ideal timing, but when opportunity knocks, we can give it all we got. There is a dedicated team of District staff and Barkerville staff members who have spent countless hours on this since this opportunity was brought forward in November. It is in its early stages and in no way is anything set in stone.

District staff have always followed the BC Legislation and have strived to be as transparent as possible. The laws state that we can NOT advertise more than 10 days and we can not advertise less than 3 days. We follow this practice. Big decisions such as this proposed project require several community input sessions.

Staff only want what is best for the Community as a whole. If the Community input is that this housing project is not wanted at this time, then this project would not move forward.

If you have any questions or concerns, please do not hesitate contact staff.

Sincerely,

Donna Forseille



Donna Forseille
Chief Administrative Officer

C: District of Wells Council